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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/782,359	02/14/2001	Housam Maher Al-Housami	3	7805

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EXAMINER

FERGUSON, KEITH

ART UNIT PAPER NUMBER

2683

DATE MAILED: 07/17/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/782,359

Applicant(s)

AL-HOUSAMI, HOUSAM MAHER

Examiner

Keith T. Ferguson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 14 February 2000.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)                      4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)                      5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.                      6) ☐ Other:

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**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Widegren et al. in view of Laakso.

Regarding claim 1, Widegren et al. discloses a wideband mobile radio telecommunication system having a heterogeneous service with different rates (fig. 1, and col. 5 lines 35-67) Widegren et al. differs from claim 1 of the present invention in that it do not disclose a method of resource allocation comprising the steps of determining the current proportions of each rate traffic in telecommunication cell; and applying a threshold to the loading level in said cell in accordance with the determined proportion. Laakso teaches a method of resource allocation (paragraph 0010) comprising the steps of determining the current proportions of each rate (load) traffic in telecommunication cell (paragraph 0010); and applying a

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threshold to the loading level in said cell in accordance with the determined proportion (paragraphs 0060 and 0061). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide Widegren et al. with a method of resource allocation comprising the steps of determining the current proportions of each rate traffic in telecommunication cell; and applying a threshold to the loading level in said cell in accordance with the determined proportion in order to control uplink interference within a cell of system that has wide bandwidth and to be able to manage traffic loads within the cell, as taught by Laakso.

Regarding claims 2-7, Widegren et al. discloses a wideband mobile radio telecommunication system as discussed supra in claim 1 above. Widegren et al. differs from claims 2-7 of the claimed invention in that it do not disclose the proportion of the high rate users is determined/performed in a base transceiver from a received signal strength which is sent to a central radio network controller and a variable threshold is allocated to each cell by the radio network controller and the radio network controller maintains a table of threshold values for specific mixes of service and selects a threshold for a cell so as to maintain optimum network operation. Laakso teaches the proportion of the high rate users is determined/performed in a base transceiver from a received signal strength (paragraph 0036 and 0060) which is sent to a central radio network controller (paragraph 0062) and a variable threshold (second load value can be equal to higher load value) is allocated to each cell by the radio network controller (paragraph 0061 and 0062) and the radio network controller maintains a table of threshold values for specific mixes of service and selects a threshold for a cell so as to maintain optimum network operation (paragraph 0062). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide Widegren et al. with the proportion of the high rate users is

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determined/performed in a base transceiver from a received signal strength which is sent to a central radio network controller and a variable threshold is allocated to each cell by the radio network controller and the radio network controller maintains a table of threshold values for specific mixes of service and selects a threshold for a cell so as to maintain optimum network operation in order to control uplink interference within a cell of a system that has wide bandwidth and to be able to manage traffic loads within the cell and surrounding cell/sectors, as taught by Laakso.

3. Claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Widegren et al. in view of Rikken et al. and Laakso.

Regarding claims 8 and 9, Widegren et al. discloses wideband mobile radio telecommunication system (UMTS) comprising core network and a plurality of RNC and controlling a plurality of base transceiver stations (fig. 1 number 16,24,26 and 28); Widegren et al. differs from claims 8 and 9 of the present invention in that it do not disclose each base transceiver arranged to determine intermittently the proportions of each rate traffic in a cell; to apply a variable threshold to the loading level in the cell; and the base transceiver is arrange to send the network controller a signal indicating the proportions and receive from radio network controller a variable loading limit to be applied. Rikken et al. teaches each base transceiver arranged to determine intermittently the proportions (load condition) of each rate traffic in a cell (col. 4 lines 4-10 and col. 7 lines 35-47). Laakso teaches to apply a variable threshold (second load control equal or higher than first load control) to the loading level in the cell (paragraph 0060 and 0061) and the base transceiver is arrange to send the radio network controller (radio network planner) a signal indicating the proportions and receive from radio network controller a variable loading limit to be applied (paragraph 0061 and 0062). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide Widegren et al. with each base transceiver arranged to determine intermittently the proportions of each rate traffic in a cell; to apply a variable threshold to the loading level in the cell and the base transceiver is arrange to send the network

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controller a signal indicating the proportions and receive from radio network controller a variable loading limit to be applied in order to control uplink interference within a cell of system that has wide bandwidth and to be able to manage traffic loads within the cell and surrounding cell/sectors, as taught by Rikken et al. and Laakso.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Keith T. Ferguson whose telephone number is (703) 305-4888. The examiner can normally be reached on 6:30am-5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on (703) 308-5318. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

Keith Ferguson *KF*  
Art Unit 2683  
July 3, 2003

*W-T*  
WILLIAM TROST  
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